

## UK Cleaning Products Industry Association (UKCPI)

Sent on: Wednesday, July 14, 2021 11:44:28 AM

To: [misleadinggreenclaims@cma.gov.uk](mailto:misleadinggreenclaims@cma.gov.uk)

Subject: CMA 'eco friendly' claims guidance

Please find below comments in support of your guidance document. These are in addition to comments already submitted 6 months ago (see attached).

Overall, the draft guidance fits well both in terms of principles and structure with our own guidance that provides more detailed guidance on common issues with green claims about cleaning products. <http://www.ukcpi.org/green-cleaning/green-claims-guidance>

All the principles 3a)-f) in the draft guidance are included in our sector guidance. The sector guidance also highlights that claims must address impacts that are relevant to the impact of the product concerned, and that claims genuinely convey additional benefits or improvements. While these are not explicitly included in the headings of the principles 3a) -f) we see they are both well stated elsewhere.

Approaches to green claims for cleaning products that often become misleading to consumers and purchasers include:

1. making statements that are factually correct but which imply that the same is not true of the majority of products
2. making the absence of an ingredient a claim to be superior. This directly implies the omitted ingredient is harmful or unsustainable yet such claims are often made where formal scientific risk assessment show that is not the case when products are used as directed. This extends to claiming benefit for excluding ingredients based only on their hazards as concentrated substances when risk assessment shows they pose no risk at the levels actually used in products.

We believe the draft guidance covers these issues to an extent, but perhaps the points could be made more clearly.

1. Perhaps this could be done for example by extending para 3.89 in 3d - Comparisons should be fair and meaningful) to additionally state that unless it is otherwise made clear, claims will inevitably imply to the purchaser that the same is not true of the majority of products intended for the same use on the market.
2. The following is the relevant section from our Sector guidance, which also refers to the general DEFRA guidance. Perhaps these points could somehow be succinctly incorporated, as they will also affect many other industry sectors?

Claims about the hazards of ingredients used in other products would be misleading if the impression is wrongly given that harm is likely to occur when the products are used as instructed. The DEFRA guidance specifically states that claims should not imply a product “is exceptional by suggesting others in the market ..... are likely to cause harm if that is not true of most products sold for the same purpose or if the available evidence does not support those suggestions”.

Claims based around the absence of ingredients (e.g. “X-free”) directly suggest this represents a benefit. This in turn implies that ingredient X poses some significant risk, whether to the environment or human health, or that it has some other important environmental disadvantage. While claims related to ingredients which have been publicly debated as undesirable can have substantial consumer appeal, they need to be objectively and scientifically supported. Although such claims could be literally true, they would be misleading if there were no tangible, scientifically supported benefit - for example if human or environmental exposure when the product was used was well below safe limits, or if the alleged hazards were not confirmed.

With best regards,

[✂] [REDACTED]

[REDACTED]

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